

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

RON OTLER-EL,

Plaintiff,

v.

UNITED STATES SECRETARY OF  
TREASURY, HENRY PAULSON, JR.,

Defendant.

Case Number: 08-15117

JUDGE PAUL D. BORMAN

UNITED STATES DISTRICT COURT

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**ORDER OF DISMISSAL**

Plaintiff Ronald Otlter-El filed a complaint on December 11 , 2008, against the Secretary of the Treasury, Henry Paulson, Jr. Plaintiff alleges that Secretary Paulson did not honor the “Charge Back of the Bill Exchange” presented to him on December 10, 2007, in violation of U.C.C. 9-105(h). (Complaint ¶ 4). Plaintiff seeks \$100,000,000,000.00 in damages.

“[A] district court may, at any time, *sua sponte* dismiss a complaint for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure when the allegations of a complaint are totally implausible, attenuated, unsubstantial, frivolous, devoid of merit, or no longer open to discussion.” *Apple v. Glenn*, 183 F.3d 477, 479 (6th Cir. 1999). The Court finds that Plaintiff’s complaint is, on its face, totally implausible, frivolous and devoid of merit.

Accordingly, the Court **DISMISSES** this action pursuant to Rule 12(b)(1), and denies Plaintiff’s petition to proceed *in forma pauperis* as moot.

**SO ORDERED.**

S/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: December 17, 2008

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on December 17, 2008.

S/Denise Goodine  
Case Manager